

# Department of Human Services

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## Articles in Today's Clips Tuesday, September 18, 2007

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Article published Sep 18, 2007

Boyfriend is ordered to trial in child's death

**Trace Christenson**

*The Enquirer*

Adam Markos was ordered to stand trial for murder after a judge ruled he cared for a 4-year-old boy several hours before the child was found dead last month.

Markos, 24, was bound over to Calhoun County Circuit Court for trial on open murder and child abuse charges in the Aug. 5 death of Dominic Munoz, the son of his former girlfriend.

The ruling Monday came after two doctors testified about head injuries and scrapes and bruises they found on the boy's body. The child's mother, Lynn Wozniak, also testified she was working and left the child with Markos the night the boy died.

District Judge Samuel Durham's decision to send the case to trial also came after Defense Attorney J. Thomas Schaeffer argued, "There is nothing against the defendant that he abused the child or that he killed the child. There is nothing in the record that my client did anything."

Dominic Munoz is one of three children to die in Calhoun County this year in what police have called homicides. A fourth child suffered serious injuries when it was shaken.

During testimony at the Markos hearing, Wozniak, 26, testified she had lived with Markos for several months and while she worked, he was caring for her son and often his 2-year-old daughter.

"I trusted him with my son," she told Schaeffer. "I would not have left my son with him had I not."

Wozniak told Assistant Prosecutor Jeff Kabot she was working the night her son died. When Markos picked her up shortly after 11 p.m., they went home but Markos told her to relax and watch a little television rather than going right into her son's room, which was her normal practice.

Shortly after midnight, Wozniak said, Markos came to the door of their room and said, "'Something is wrong with Dominic.' I went to the bedroom and I touched my son and he was cold. I screamed at him to call 911."

Markos stood there, she said, and asked her several times what she wanted him to do.

"He didn't move. I had to leave my baby to do it."

Markos brought the child to the living room and began CPR but Wozniak said, "I knew he was dead."

She said during cross examination by Schaeffer she told police and others during the early stages of the investigation that she had gone into the boy's bedroom shortly after 11 p.m. and that her son was awake, talked to her and seemed fine.

Schaeffer asked why she told police that version.

"I'm not quite sure," she said. "I said things I feel bad for saying."

Wozniak also testified:

- Markos was often angry at Dominic for wetting himself and called the boy a "little liar and he needed to shut his mouth" the afternoon he died because the boy mentioned the name of another woman while with Markos and Wozniak.
- Markos told her that her son fell from the bed on June 29 and the next day said burns on his legs and feet were sunburn.
- Dominic was abused by her former roommate in July 2006 when the boy sustained bruises, a bump on the head and choking. The woman was convicted in December of that year. A doctor looked at the boy but determined the injuries were not serious.
- She denied she ever abused her child, admitting only spanking the child and once picking him up by the arms and placing him in his

room.

- As an 18-year-old, she told people she had a child who died in the bathtub, something that was not true. "It's called getting attention, for approval."
- The night of her son's funeral she said she got drunk, smoked some marijuana and left with someone to have sex. "I was looking to not feel the pain. I got drunk the day my baby died, so be it," she told Schaeffer. "But I did not murder my son."

Earlier, two pathologists, Dr. Joyce Dejong of Sparrow Hospital in Lansing and Dr. Rudolph Castellani of the University of Maryland, said the child died from three blows to the head and would have shown symptoms quickly after the injury.

"This was not from a short fall," Dejong said. "It was not a minor injury but severe, serious force. It was a lethal injury to the brain."

*Trace Christenson can be reached at 966-0685 or [tchrist@battlecr.gannett.com](mailto:tchrist@battlecr.gannett.com).*

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## Man going to trial in child's murder

Updated: Sep 18, 2007 09:32 AM EDT

**BATTLE CREEK** -- A judge has decided there is enough evidence to send a man to trial for allegedly killing his girlfriend's child.

Adam Markos was arraigned in August on open murder charges in the death of a 4-year-old Dominic Munoz. The child was found unresponsive by emergency crews August 7, inside the home Markos and the child's mother, Lynn Wozniak, shared in Bedford Township.

Wozniak says Markos watched the child during that day but acted strange when she got home from work and eventually said with no expression "something is wrong with Dominic."

She says she then checked on her son, thinking maybe he had a fever. "And then I went into the bedroom and touched my son and he was cold."

Markos, she said, took no action.

"He just stood there. He kept saying, 'What do you want me to do? What do you want me to do?' I just kept hitting him and saying, 'Go call 911. Go call 911.' And he just didn't move," Wozniak testified Monday in court.

Two forensic pathologists testified that Munoz had hemorrhaging on the brain, and that they found several bruises on his head and other parts of his body. Some of those bruises were old and showing signs of healing.

Other testimony told of a severe burn on the child's body in June. Wozniak said Markos told her that the mark was a sunburn. But the pathologists testified it was consistent with a scalding pattern.

The defense tried to show that Wozniak made statements to investigators and her family that were not consistent with each other. The defense also said she has a history of making up stories, such as having another child drown in the bathtub.

She later admitted that she lied about the drowning, and that her statements were inconsistent because she was so distraught over losing her son.

Wozniak's former roommate pleaded guilty last year to child abuse against Dominic. After that abuse, Wozniak said her son became difficult to handle and she admitted on the witness stand to being rough with him on at least one occasion.

The judge decided late Monday afternoon that Markos should stand trial.



Adam Markos



Dominic Munoz



Lynn Wozniak



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**Jackson-area man charged with raping, beating infant girl**

September 17, 2007

ASSOCIATED PRESS

BLACKMAN TOWNSHIP — A 27-year-old man was arraigned today on charges of raping and beating an infant girl.

The 3-month-old girl was in critical condition today at University of Michigan Hospital in Ann Arbor, suffering from broken ribs, head trauma and other injuries, according to police. She was flown there Saturday from Foote Hospital in Jackson.

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Kirk Coleman of Blackman Township is charged with first-degree criminal sexual conduct and first-degree child abuse. He was ordered held without bond and a preliminary examination was scheduled for Sept. 21.

Authorities say the baby was attacked Friday night in her Blackman Township home north of Jackson and about 70 miles west of Detroit.

Jon Johnston, deputy director of the Blackman Township Department of Public Safety, told the Jackson Citizen Patriot the girl was unconscious and “fighting for her life.”

The Associated Press left a message this afternoon for Coleman’s attorney, Dennis Hurst.

**Find this article at:**

<http://www.freep.com/apps/pbcs.dll/article?AID=/20070917/NEWS06/70917068/1008>

☐ Check the box to include the list of links referenced in the article.

# **Jackson man charged in infant's beating, rape**

Posted by [Kalamazoo Gazette](#) September 17, 2007 15:34PM

Categories: [Breaking News](#)

Associated Press

JACKSON -- A 27-year-old man was arraigned Monday on charges of raping and beating an infant girl.

The three-month-old girl was in critical condition Monday at University of Michigan Hospital in Ann Arbor, suffering from broken ribs, head trauma and other injuries, according to police. She was flown there Saturday from Foote Hospital in Jackson.

Kirk Coleman of Blackman Township is charged with first-degree criminal sexual conduct and first-degree child abuse. He was ordered held without bond and a preliminary examination was scheduled for Sept. 21.

Authorities say the baby was attacked Friday night in her Blackman Township home north of Jackson.

Jon Johnston, deputy director of the Blackman Township Department of Public Safety, told the Jackson Citizen Patriot the girl was unconscious and "fighting for her life."

The Associated Press left a message Monday afternoon for Coleman's attorney, Dennis Hurst.

# ClickOnDetroit.com

## Man Arraigned On Charges He Beat, Raped Infant

POSTED: 3:46 pm EDT September 17, 2007

**BLACKMAN TOWNSHIP, Mich.** -- A 27-year-old man was arraigned Monday on charges of raping and beating an infant girl.

The three-month-old girl was in critical condition Monday at University of Michigan Hospital in Ann Arbor, suffering from broken ribs, head trauma and other injuries, according to police. She was flown there Saturday from Foote Hospital in Jackson.

Kirk Coleman of Blackman Township is charged with first-degree criminal sexual conduct and first-degree child abuse. He was ordered held without bond and a preliminary examination was scheduled for Sept. 21.

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Jon Johnston, deputy director of the Blackman Township Department of Public Safety, told the Jackson Citizen Patriot the girl was unconscious and "fighting for her life."

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Article published Sep 18, 2007

Child thrown from vehicle in accident

Two-year-old suffers minor injuries; mother could face charges

By MOLLY MONTAG  
Times Herald

**CUSTER TWP.-** A 23-year-old Deckerville woman could face child-neglect charges after her 2-year-old son was ejected from a car during a Sunday accident.

Police said the boy suffered minor injuries during the incident in which Sooner Hoist hit a patch of loose gravel on the shoulder of the road while passing another vehicle on North Sandusky Road near Snover Road. The 2-year-old, police said, was in a car seat but had not been secured with a harness.

Trooper Andrew Pflaum of the Michigan State Police Sandusky post said Hoist could not tell police why the harness had not been secured. The boy was found standing 6 to 8 feet from the car, which skidded into a ditch and rolled, after the accident.

Hoist was ticketed for driving too fast for conditions and was issued a seat-belt violation for failing to properly restrain the boy. Her 5-month-old son also was in a car seat but was secured with a harness.

Police could not say how fast Hoist was traveling when the accident happened. The case report will be forwarded to the Sanilac County Prosecutor's Office and the Sanilac County Department of Human Services to determine if child-neglect charges are warranted, Pflaum said.

It is not clear how the 2-year-old was ejected from the car, police said, because the sunroof came off of the car and the window next to the boy's safety seat was broken during the accident.

Hoist and the boys were treated at the scene by Sanilac County EMS. Pflaum said Hoist intended to take the boys to a nearby hospital to be evaluated by a doctor.

Pflaum said anyone who has questions about the proper way to secure a child safety seat can contact the Michigan State Police's Sandusky post, where troopers can give demonstrations.

For more information about the demonstrations, call (810) 648-2233.

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## Bullying problems

The school year has started again, and students and parents are focusing their attention on classes, homework and schedules.

But a new school year often brings back a far greater concern — bullying.

Bullying can happen anywhere.

And bullying is as prevalent as ever, perhaps even more so.

The reason behind this is that today's "anywhere" includes not only the playground at lunchtime, but also cyberspace.

Before technology such as cell phones and instant messengers, students were able to leave bullies behind when they went home from school each afternoon.

But now, bullies can send messages to their victims through text messages on cell phones and instant messages on computers.

Because bullying is so difficult to escape, now is the time to talk to your child about how to handle a bully if faced with one.

Bullying has been linked to a number of conditions, including depression.

Children may experience mood changes, withdraw from activities they once enjoyed, or exhibit anxiety about going to school, or spending time with peers.

Physical symptoms may include recurrent sleep problems and headaches.

While only a few studies have evaluated the longer-term consequences of bullying, a study cited in an article on bullying published in the Journal of the American Medical Association noted that "individuals with a history of bullying had a four-fold increase in criminal behavior by the time they reached their mid 20s."

How to Handle a Bully.

- Stay calm and alert. Consider the options and do nothing to escalate the situation.
- Walk away. Fighting isn't worth it. You do not have to prove yourself by fighting.
- Take a non-violent stand. Speak respectfully: "I don't want to fight you."
- Report it to authorities, but discuss with them how you will be protected from retaliation.
- Get away. Find safety or call for help.

How to Cope with Bullying.

There are many things parents can do to help their child cope with bullying.

Some tips to help your child cope with bullying:

- Keep an open dialogue with your child. If your child stops talking about harassment or teasing, do not assume it has stopped. Continue asking questions.
- Sometimes kids just want to be heard. Do not try to immediately problem solve.

- If your child is being bullied at school, discuss the problem with a teacher or administrator. They may not be aware of the situation.
- Work with school officials to make schools safer, **www.safe** youth.org contains a wealth of information on innovative school safety programs including bullying prevention initiatives. If your child is suffering, expect help from the school, and make sure you get it.
- Encourage positive activities outside of school to build competencies.
- Encourage your child's school to establish peer support groups. Children dislike bullying at their school and want to help stop it. Peers need to be taught how to intervene.
- During school vacations, know where your child spends the day and with whom he or she spends it. If your child experiences problems, make alternative arrangements.
- Talk to your children. Let your child know it's not his or her fault, and that he or she did the right thing by telling you. Support at home is the first step towards preventing bullying behavior. Try role-playing with solutions to difficult situations and encourage family discussions.
- Take it seriously. Kids don't ask for help lightly. If they are asking for help, it is most likely serious.
- Most importantly, do all you can to build your child's sense of self-esteem. Support and understanding at home are critical in helping children of all ages cope with bullying.

#### How to Prevent Bullying.

Parents often do not learn that their children are bullying other kids until they get a phone call from school or another child's parents. If you suspect that your child is picking on others, here are some ways to intervene:

- Notice if your child lacks empathy, dominates others, is selfish or refuses to accept responsibility. This could be a warning sign of bullying tendencies.
- If your child ever engages in bullying acts, he should apologize to the victims and undo any damage, such as replacing stolen or destroyed property.
- Make sure your child doesn't hang out with other bullies who may be influencing his behavior. If he does, encourage new friendships.
- Help your child understand that physical or emotional abuse is never acceptable.
- Talk to your child, other parents, and teachers about what is going on. The more you know about your child's everyday activities, the better you can prevent at-risk behavior.

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Child Advocacy Center helps officials combat child abuse

By ART BUKOWSKI Argus-Press Staff Writer

*Monday, September 17, 2007 11:30 AM EDT*

There is a house in Shiawassee County where terrible stories are told.

But stories told in that house, heard by the right ears, can mark the start of a new life for victims of child abuse.

The Child Advocacy Center - a program of the Child Abuse Prevention Council of Shiawassee County in partnership with the Shiawassee-Owosso Kiwanis Club - sits in a brightly colored house on M-21 on the west side of Owosso.

At the CAC, law enforcement officials, state child protective services workers and prosecutors gather to interview suspected child abuse victims. All of those groups have always worked on child abuse cases, but the center provides a unique opportunity designed to save time and minimize a child's trauma.

Before the center opened in 2005, suspected child abuse victims were often forced to tell their story multiple times. Law enforcement officers need to know if criminal charges against the suspected abuser are warranted. Child protective services workers need to determine if the child should be removed from the home or other action should be taken. Prosecutors and other officials might have further questions, leading to even more interviews with the victim.

All of those interviews were often conducted separately at each agency's office, meaning a child would have to repeat their story in stark government buildings, police departments and other intimidating settings, often face-to-face with multiple adults.

Children are now taken to the CAC, where all parties are present to observe a single interview conducted by a forensic interviewer. Children sit in a comfortable room alone with the interviewer, and they're observed via video camera by representatives from the various agencies, who sit in a separate room.

The interviewer's job is to collect as many details as possible about the suspected abuse without leading or badgering the child. Those in the other room can feed questions to the interviewer, who wears an earpiece.

Although the children generally don't know they're being observed, they're told if they ask. The process is designed to get everyone's questions answered at the same time, so the child won't have to repeat his or her story.

"The whole reason we exist is to not revictimize that child every time they have to talk about it," said CAC director Ellen Lynch. "We're here for them to feel safe and welcomed, and (so they only have to) talk about it once."

The colorful, comfortable center is intended to put children at ease, allowing them to focus on the questions in a stress-free environment.

"It's child-friendly, it's family friendly - they walk in and feel like it's an OK place," said Rhonda Ihm, a forensic interviewer who contracts with the CAC. "They don't have to sit across from a police officer with a gun strapped on his hip saying 'Tell me what happened.'"

If officials suspect abuse following the interview, they take quick action. Child protective services personnel can seek a court order to remove the child from the home pending the ongoing investigation - or, depending on the situation, the offending person or people from the home - and law enforcement officials can begin a criminal investigation, if necessary. If charges need to be filed against the abuser, the prosecutor's office has a good idea what it's dealing with.

"It's a phenomenal idea," said Rod Weisenberger, acting child protective services supervisor for the county's Department of Human Services branch, of the CAC. "Everyone that's working on the case gets together in one spot, and we can all put our brains together, ask questions and get the details we want to help aid the interviewer."

Assistant Shiawassee County Prosecutor Sara Edwards said the interviews help show consistency in a child's statements if a case makes its way to court and the child must testify, telling the story again. Because it's recorded, the interview also can be shown to prove investigators didn't lead or badger the child into making false statements.

Perhaps most importantly, Edwards said, the recorded interview often prompts the offending person to accept a plea deal,

especially if the child is able to provide thorough details of the abuse - details that could make it hard to mount a good defense in court.

Despite all the good that comes from centers like the CAC, they are not very common - only about 20 exist in the state, mostly in counties with relatively high populations. And although the center is heavily used by state and county agencies, it doesn't receive regular funding from governmental sources. Donations, fundraisers and occasional grants keep the CAC in operation.

"It's critical for our existence that we get that community support," Lynch said.

Child abuse statistics in Shiawassee County are somewhat difficult to pin down. The CAC's interview load is increasing - from 147 interviews in 2005 to 189 in 2006 and 159 so far this year - but some interviews reveal no abuse is taking place. Instances of sexual abuse - which law enforcement officials and Edwards say constitute the majority of criminal child abuse cases - are relatively steady, with anywhere between 70-100 counts charged each year over the past several years. A single individual could be charged with multiple counts of abusing the same victim, however, so those figures don't necessarily reflect how many separate situations of abuse have occurred.

What is certain are several child abuse trends, officials say. Children of single parents with a revolving cycle of partners often fall victim to abuse. Abuse is somewhat more common in low-income situations, although it occurs at all social levels. The overwhelming majority of abused children know the person abusing them, and it's very common for abuse to be generational - children who are abused by their parents often end up harming their own children.

Among the most important deterrents to abuse, officials say, is careful observation. Parents should always be aware of where their children are and who they're spending time with. Because abuse by relatives is disturbingly common, parents and others related to a child should take note of how certain relatives interact with children around them - early signs of sexual abuse, including a relative that frequently touches and holds a child, are often misconstrued as genuine, normal affection by others.

"Be suspicious," Lynch said. "You have to be, and I wish more parents were."



Argus-Press Photo/Anthony Cepak The Child Advocacy Center on M-21 in Owosso.



09/18/2007

## CA/N Council announce scholarship winners

The Huron Daily Tribune

On April 5, 19 month old Nickolas Crowell was put in his crib, and his mother left their home to run a few errands. When she returned, Nickolas was quiet.

When she checked on him, she discovered he was not breathing, and she contacted 911. While his mother had been away, she had entrusted her boyfriend to look after him. Nicholas, in fact, had passed away that day. The autopsy revealed that Nickolas had suffered blunt force trauma to his abdomen and that was the cause of death. The boyfriend, Brandon Smith, has since been charged with felony murder and is awaiting trial.

The members of the Huron County CA/N Council were distraught to hear about the violent death of Nickolas Crowell, and heartbroken that such a small, vulnerable little person could have been the subject of such a terrible death and send their heartfelt and most sincere sympathies to his parents and their families.

The Crowell Scholarship brings together the Council's desire to generate prevention awareness and proper training of processionalists and to respond to the sad and tragic death of a baby due to child abuse. Not wishing the loss of Nickolas to be in vain, CA/N Council desires to memorialize his innocent, but short life to ensure that it had purpose and divine meaning. They also want young adults from the area to be able to succeed in a field that is not known for high financial gains, but can be some of the most rewarding emotional and spiritual work. CA/N Council believes this scholarship accomplishes both of these goals.

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Scholarship requirements included being a Huron County high school senior pursuing studies in social services specially those that are services to children. Applicants were asked to list activities and accomplishments that demonstrated through community and school related activities a desire to work with children and families and to be pursuing a course of study towards same at an accredited State of Michigan college or university. Two awards of \$1,000 each are being given to the top applicants. The scholarship committee was comprised of Council Vice President Cathy Stinson, HISD behavioral specialist, and council board members Mary Beth Klee, Early On Prevention and Parents as Teachers coordinator, and Shannon Hessling, mentor for parents of children ages zero to three years old through the Huron County Health Department.

The Board of Directors of the Huron County Child Abuse/Neglect Council announce that as the result of their excellent applications, two students entering their first year of college are recipients of the 2007 Nickolas James Crowell Memorial Scholarship.

Tiffany Jurgess is a 2007 graduate of Bad Axe High School and will be attending classes at Saginaw Valley State University this fall to pursue a nursing degree. She graduated with a 3.7 GPA and has extensive experience dealing with families and children through being a teacher's aide, elementary school carnival volunteer, youth cheer clinic volunteer, and tutoring as well as some practical student teaching and numerous other activities. She has received a variety of awards throughout her high school career while being an active volunteer and involved in the National Honor Society. She received glowing recommendations from her teachers for not only her academic and community activities, but for her personality, hard work, motivation, and initiative. In her application essay, she exhibited a mature understanding and insight into the dynamic and complex issue of child abuse and neglect in the area and the consequences faced by society. She is an excellent and deserving scholarship recipient. Tiffany is the daughter of Steven and Betty Jurgess from Bad Axe.

Melissa Erdman is the daughter of Michael and Vicky Erdman of Harbor Beach. She is a 2007 graduate of Harbor Beach High School and is also attending Saginaw Valley State University this fall to pursue a nursing degree. Melissa finished high school with a 3.7 GPA and many honors. Recommendation letters submitted on her behalf include accolades regarding her motivation, enthusiasm, strong work ethics, and good communication skills. It was noted that her ability to balance her involvement in many sports, volunteering projects, and strong academics set her quite apart from her peers. Her activities included involvement in the CA/N Council, FFA, Relay for Life, Vacation Bible School, and Red Cross Blood Drives. In her application essay, Melissa painted a very realistic picture of the "usual" situation of abuse of children in Huron County, as well as a realistic observation of what our community is doing well and not doing to prevent it.

An award luncheon was conducted at the Peppermill Restaurant in the banquet room on Aug. 23. Tiffany's parents received her award on her behalf as she already had left for college, and Melissa was present with her family to receive her award. Each young lady was also given a "care" package that consisted of some CA/N Council items (tote bag, cooler and information) and some "goodies" to help them ease into the transition to college. Ashley Walls, mother of Nickolas, was also present with members of her family. It was an emotional and hopeful group that gathered to meet and remember Nickolas and wish the college students well. The Council congratulates these young women on their accomplishments to date. The CA/N Council is proud to be partnering in the advancement of their careers, and look forward to their continued great success in the future.



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GUEST COLUMNISTS

## You can do something before a child is harmed: Build CAP E Fund

By RITA McPHAIL, TERESA DURHAM and KIM BRUBAKER

First, we want to thank the Enquirer for the coverage it is giving to the recent deaths of three of our tiniest residents: Mackenzie, Dominic and now, most likely Ania. Children are hurt and abused every day, but most in private homes and cars. Sometimes it slips out a bit in public, at the grocery store or the mall. You know what about. You've seen it.

Think again about how old our most recent victims were: Mackenzie and Dominic were each 4 years old and Ania was 3. What in the world could these children have done to warrant a physical response so severe that it kills them? Nothing!

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We are wondering why our society does so little to protect the thousands of injuries, both physical and emotional, that our least powerful residents suffer. Talk about a deterioration of our society.

Except that we have never developed an adequate system to protect our children. *This is one bridge that hasn't even been built yet.* It might have led to this bridge - par education in many forms and varieties, adequate child care systems, foster homes that, at very least, cause no harm to the child and is disappearing along with many of the other basic values that any civil society should provide and maintain.

Our point is that *we can't wait* for the government to protect our children. We have to find the money to protect them. And any money we find, we need to plant it and grow, so it can provide a permanent source of funds for the protection of our tiniest residents in Calhoun County.

So after trying to help in many different ways, this is what we did. We plunked down our own money to start the Child Abuse Prevention (CAP) Endowment Fund for Calhoun County. We set the CAP Fund up at the Battle Creek Foundation. As an endowment fund, only the money the fund earns as interest can be spent and it can only help parents who need help to be better parents before any child is harmed. That was just over 10 years ago and the endowment has grown, thanks to loyal donors and community fundraisers.

You can help build the CAP Fund also. You can do that something you want to do when you feel angry about the deaths of Mackenzie, Dominic and now, most likely Ania. You *can* do something and we need your help! Send your contribution to the CAP Endowment Fund c/o BCCF, 34 W. Jackson St., Battle Creek, MI 49017.

Feel free to contact me at 965-4638 or [rmkoenig@battlecreek.net](mailto:rmkoenig@battlecreek.net) if you have questions.

*Rita McPhail is chair of the Child Abuse Prevention (CAP) Endowment Fund, and Teresa Durham and Kim Brubaker are board members.*

Tuesday, September 18, 2007

Detroit News

Macomb briefs

## **Mount Clemens: Debts linked to licenses**

The Macomb County Friend of the Court is working with the Department of Natural Resources to suspend the licenses of hunters, off-road vehicle owners and snowmobilers if they are not in compliance with their current child support orders or if they owe past-due support. To make payment arrangements or to inquire about the status of a file, call the Friend of the Court at (586) 469-5160.

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Article published Sep 17, 2007

Bus shooting suspect held; name released

Trace Christenson

The Enquirer

A Battle Creek teenager, Devin Stewart, 16, is being held in the Calhoun County Juvenile Home after his arrest in connection with last week's school bus shooting.

Stewart, accompanied by his mother, surrendered to Battle Creek Police Friday.

Calhoun County Juvenile Court Administrator Mike Boltz said a hearing before a juvenile court referee was held Saturday and Stewart was ordered held on \$150,000 cash bond.

Officials are awaiting specific charges from the prosecutor's office, which are likely to include assault and weapons offenses.

Nearly 30 people were on a Battle Creek Public Schools bus Wednesday near Garfield Avenue and West Street when someone fired five shots, hitting the bus four times. No one was injured.

Look for the complete story Tuesday in the Battle Creek Enquirer and online at [battlecreekenquirer.com](http://battlecreekenquirer.com).

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Tuesday, September 18, 2007

Howell

## **Boy, 11, accused in sexual assault Attorney: 'Court treated him like a monster' in sex abuse case on school bus.**

Valerie Olander / The Detroit News

An attorney representing an 11-year-old boy -- one of two boys accused in Livingston Juvenile Court of sexually assaulting a 7-year-old boy on a Southwest Elementary school bus in May -- plans to appeal an attorney-referee's decision Friday that charged her client with first-degree sexual conduct and set a \$25,000 personal bond.

The bond was called "unheard of" by Carolyn Henry, the court-appointed attorney representing the boy.

"My client was sitting at the (defense) table with his feet barely touching the floor and the court treated him like a monster," she said.

The attorney-referee, Margaret Ayalp, mandated the boy to sign the bond form, which included such stipulations as notifying the boy's teachers of the allegations and requiring the school to provide supervision on the playground and in restrooms. He is to have no overnight visits with his mother when his two brothers, ages 3 and 5, are present. The boy lives with his father.

"This child was completely mistreated by the court. There are adult sex offenders who don't get terms and conditions like this," Henry said.

According to police reports, the 7-year-old boy was seen performing oral sex on his younger brother at home. When his mother asked how he learned about this, the young boy claimed a 9-year-old boy on the school bus forced him to perform oral sex several times. The 11-year-old sat next to both of them on the bus. Later accusations claim the 11-year-old participated in the sex acts.

"I'm awestruck that something like this could take place on a school bus. They were five seats back from the bus driver. What was the bus driver doing?," said the father of the 11-year-old.

He originally was told his son was a witness to sexual acts on the bus, which started before his son began riding the bus in March. Later, the father received a petition in the mail charging the boy with the offense.

The 9-year-old faces similar criminal sexual conduct charges. However, at his hearing on Aug. 15, no bond was set by the referee-county juvenile officer, court records show.

He is due back in court on Oct. 16.

Henry called the 9-year-old the aggressor in the assaults.

The 11-year-old is scheduled to be back in court Oct. 12.

Superintendent Chuck Breiner said he was notified of the incident on Monday when the father met with him.

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Article published Sep 18, 2007

## Boy, 7, says pair forced sex while on bus

By Lisa Roose-Church  
DAILY PRESS & ARGUS

Two Howell elementary school boys — ages 9 and 11 — have been charged with criminal sexual conduct for allegedly making a 7-year-old boy perform oral sex while on a school bus last May.

The father of the 11-year-old boy, however, said his son merely witnessed the attacks and was himself a victim of a similar attempted sexual assault by the 9-year-old. He questioned the safety of students on Howell buses.

"We take it for granted our children are safe," the 38-year-old father said Monday. "We're worried about predators coming up to the bus stop, not being on the bus. How can you think our children are safe? The school should be accountable for what happens on the bus."

The Daily Press & Argus is not identifying any of the children because of their age and the sexual nature of the allegations.

Although the events happened at the end of the prior school year, Superintendent Chuck Breiner said he just learned of the alleged sexual assaults on Monday when the 11-year-old boy's father called him to inquire about why his son was questioned by the school principal and a police officer without his knowledge.

Breiner said the district is working to correct why the incident was not immediately reported through the usual chain of command.

"It was turned over to police in a quick and fluid way," Breiner said. "The assumption inside the organization was once police had it, it was outside our area."

Police reports indicate that the 7-year-old reported that on several occasions he was forced to perform a sex act on the 9-year-old boy. The incidents are alleged to have taken place toward the end of the after-school bus route when there were few students on the bus.

School buses have cameras but a video tape is inconclusive, said Breiner.

"The transportation office indicates that a review of the tape does not conclude any sexual assault occurred," he said.

The police report, however, says that from the tape "one can make the assumption" that one boy forces the another's head into his lap. In a second incident, police conclude the 11-year-old "is involved trying to conceal the act."

Juvenile court records indicate the 9- and 11-year-old boys are each charged with first- and second-degree criminal sexual conduct. First-degree CSC, which means penetration, is a felony that for adults carries a maximum sentence of life in prison.

The two older boys are also charged with gross indecency between males.

If convicted as charged, both boys also would have to register as sex offenders for life.

The older boy has said he witnessed what happened on the bus, but did not participate. He said all he did was urinate in a bottle because the 90-minute bus ride home was too long to wait to use the bathroom. He said he told police that the other boy committed the sex act.

A police report states the older boy admitted to participating in a sex act.

The incident came to the attention of adults in late May, when the 7-year-old's father caught him attempting to simulate a sex act with his brother in the bathroom of their home.

The boy eventually told police that a 9-year-old forced him to perform the act on the school bus.

Prosecutors initially charged the 7-year-old for the attempted act upon his brother, but those charges were dismissed in juvenile court on Friday.

The 9-year-old boy's mother has refused to allow police to interview her child.

The 11-year-old boy has been withdrawn from Howell schools by his father. The two younger boys are still attending school but are not riding the same bus, Breiner said.

School board President Phil Westmoreland did not learn of the incidents until Monday when he was contacted by reporters.

"The school does what it can to protect its students," he said.

Breiner agreed, noting that safety is of importance and is achieved by having professionally licensed drivers who are vigilant in monitoring student behavior.

He also said that the height of school bus seats, which are designed that way for safety in the event of a crash, can hinder the effectiveness of video surveillance cameras.

Contact Daily Press & Argus reporter Lisa Roose-Church at (517) 552-2846 or at [lrchurch@gannett.com](mailto:lrchurch@gannett.com).

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## Medicaid changes coming

September 18, 2007 - 7:52AM

PORTAGE (NEWSCHANNEL 3) - Changes are coming to Medicaid's prescription policies and some patients are concerned they may not get their medications.

The new rule involves what the prescription is written on and the change starts in less than a month

Beginning October 1st, all Medicaid prescriptions will have to be filed on tamper resistant paper.

It's the type of paper that's already mandated in many states for heavy narcotics like morphine. This new federal rule to require it for all Medicaid prescriptions is meant to crack down on Medicaid fraud.

It's estimated the change could save the government about 150 million dollars. While that may be the case, some pharmacists say it's going to be a hard transition because of that October 1st deadline, which could mean patients won't get their medicine on time.

"There's only been a six week period to prepare and to let the providers know about the change and the recipients know as well," said Martha Roherty of the National Association of State Medicaid Directors.

Government officials say patients will be protected because pharmacists will be able to fill prescriptions as long as there is a doctor's confirmation within 3 days.



## Spitzer, Schwarzenegger push to restore insurance program

9/17/2007, 9:29 p.m. ET

**The Associated Press**

ALBANY, N.Y. (AP) — New York Gov. Eliot Spitzer and California Gov. Arnold Schwarzenegger lobbied the Bush administration Monday to roll back rule changes that limited the scope of a popular children's health insurance program.

In a letter to Health and Human Services Secretary Michael Leavitt, the governors said 28 other governors, including Michigan's Jennifer Granholm, had joined their effort to pressure the administration to reconsider changes to the State Children's Health Insurance Program.

"The requirements amount to a unilateral restriction on state authority to provide health insurance coverage for children and undermine the foundation of the state-federal partnership upon which SCHIP was built," Spitzer and Schwarzenegger wrote to Leavitt.

Under new guidelines issued in August, when a state expands eligibility to higher-income children, it has to show it has enrolled at least 95 percent of eligible poor children in public health programs. Poor children in this instance are families with incomes below 200 percent of the poverty level — \$34,340 for a family of three.

New York sought to expand eligibility to 400 percent of the federal poverty level, or \$68,680 for a family of three — the highest level in the nation. New York did not show that it met the new 95 percent threshold.

Democratic lawmakers and governors from both parties have said the rules are misguided and will result in more uninsured children. The administration says the rules will refocus the program on the low-income people it was intended to serve.

Under the program, the federal government and the states subsidize the cost of health coverage. At current spending levels, SCHIP would cost about \$25 billion over the next five years.

Spitzer previously said the state is prepared to pursue legal action to challenge the guidelines.

"All across the country, states are standing up to fight for a program that provide a brighter, healthier future for our children," Spitzer said.

The new guidelines required New York to make sure that middle-income children were uninsured for at least a year before allowing them into SCHIP. The rule is designed to keep families from dropping private health insurance so that they could get cheaper or better coverage through public programs.

New York's application called for a six-month waiting period. State officials have said they could not justify making children wait a year for health coverage.

The governors who joined Spitzer and Schwarzenegger were from Arkansas, Arizona, Colorado, Connecticut, Delaware, Illinois, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New Mexico, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Washington, West Virginia and Wyoming.

"We cannot roll back the clock on a program that has helped to ensure children who need it most have a health start in life," Schwarzenegger said in a statement released by Spitzer's office.

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On the Net:

State Children's Health Insurance Program: <http://www.cms.hhs.gov/home/schip.asp>

September 18, 2007

## Wary of Past, Clinton Unveils a Health Plan

By [PATRICK HEALY](#) and [ROBIN TONER](#)

DES MOINES, Sept. 17 — Senator [Hillary Rodham Clinton](#) unveiled a plan on Monday to guarantee [health insurance](#) to all Americans, but in a way carefully designed to avoid the political flaws in her failed proposal of 1993-94.

Mrs. Clinton promised to cover everyone without big new bureaucracies, without a complicated reorganization of one-seventh of the American economy and without affecting people who are insured and happy with their coverage — all features that helped doom the Clinton administration's plan 14 years ago.

In what her advisers hoped would be the final stage of a long political rehabilitation on the issue, Mrs. Clinton told her audience here that she had been scarred by the old battle but had gained some valuable lessons.

"I learned that people who are satisfied with their current coverage want assurances that they can keep it," she said. "Part of our health care system is the best in the world, and we should build on it; part of the system is broken, and we should fix it."

Like the plans put forth by former Senator [John Edwards](#) and Senator [Barack Obama](#), her chief rivals for the Democratic presidential nomination, Mrs. Clinton's proposal would try to strengthen and build on the existing, employer-based system, through which most Americans under 65 already receive their coverage. She would create new options for buying private or public insurance at affordable rates, require everyone to obtain insurance, and provide subsidies and tax credits to small businesses and individuals who could not afford it.

The plan, with an estimated cost of \$110 billion a year, would be financed largely by rolling back President Bush's tax cuts for Americans making over \$250,000 a year and by savings in the health care system.

The title of Mrs. Clinton's proposal sums up her carefully calibrated new approach: "The American Health Choices Plan." It is clearly aimed at the middle-class Americans who feared that her earlier plan would limit their choices, force them into health maintenance organizations and subject them to new government bureaucracies deciding what their benefits could be — concerns stoked by a devastating campaign by insurers.

Mrs. Clinton's Republican rivals instantly denounced her new proposal as another exercise in "Hillarycare," with [Mitt Romney](#) declaring that she "takes her inspiration from European bureaucracies" and "fundamentally does not believe in markets and in the states." Mr. Romney, who as governor of Massachusetts himself signed into law a measure requiring all residents of his state to sign up for health insurance, and other Republican candidates acknowledge problems in the health care system but would rely more than Mrs. Clinton and the other Democrats on the market, the states and tax credits to resolve them.

A variety of health policy analysts, however, said the change between Clinton 1 and Clinton 2 was striking. The first plan, for example, would have required people and employers to join new "regional alliances" to purchase coverage. It would have tried to

control total health spending through a complicated system of managed competition, and would have created a National Health Board with sweeping authority to regulate that system.

In addition, employers would have been required to provide coverage to their workers. This time Mrs. Clinton would create tax incentives to help small businesses with the cost of coverage, but would not require them to offer it.

The new plan, said Stuart Altman, a health economist at Brandeis University who has been a policy adviser since the Nixon administration, "is much less radical: it's not fair at all to say it's a redo of the old plan."

Even so, Mrs. Clinton took pains to warn her audience — medical professionals and patients at a hospital in Des Moines — that attacks were coming.

"Don't let them fool us again," she said of her Republican opponents. "This is not government-run: There will be no new bureaucracy. You can keep the doctors you know and trust. You keep the insurance you have, if you like that. But this plan expands personal choice and keeps costs down."

Still, while Mrs. Clinton and her aides emphasized that her plan would not create any new federal agencies, a senior adviser did acknowledge that the government would need more workers to oversee the expanded options. It is too early to say how many workers, or at what cost, the adviser said.

The candidate and her aides also underscored that her plan was a broad outline, that it would change in the political process and that she was keenly aware of a need to build consensus.

A CBS News poll released Monday night suggests that Mrs. Clinton has already turned the health care issue from a liability to an asset, at least among Democratic primary voters: 61 percent said they had confidence in her ability to make the right decisions on health care, compared with 42 percent who felt that way about Mr. Obama, and 39 percent about Mr. Edwards. The survey also found that few voters held her responsible for the failure to pass universal health insurance during her husband's presidency.

In fact, Mrs. Clinton's organization waited until now to unveil her final health care plan because her advisers wanted a chance to reintroduce her to the country and build up her ratings.

"We needed to take time for people to get to know her better and to see that she has very good intentions," one adviser said, "before we asked them to consider trusting her with health care again."

Despite their broad policy agreements with her, both of Mrs. Clinton's major Democratic rivals sought to highlight differences on Monday, relying in large part on the negative elements of her history on the issue. Mr. Obama said the key to achieving universal health care was "the ability to bring people together in an open, transparent process that builds a broad consensus for change." Mrs. Clinton's handling of the health care issue in 1993-94 was widely faulted for its secretive nature, resulting in a 1,342-page plan that offered little room for compromise.

In Mrs. Clinton's speech on Monday and in policy briefings afterward, her camp emphasized that many of the powerful interest groups around health care — including business, labor, consumer advocates and [hospitals](#) — had begun to seek common ground as the number of uninsured approaches 50 million. But even as Mr. Edwards sought to portray her as insufficiently independent of special interests, Mrs. Clinton said she would not shrink from a fight with drug and insurance companies.



She said she would put new regulations on the insurance industry, “eliminating discrimination” against those with health problems. Doing so, she acknowledged, will not make her the industry’s “woman of the year.”

*Patrick Healy reported from Des Moines, and Robin Toner from Washington.*

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# THE DAILY Reporter

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## Agencies out of money for utility assistance

[Print Page](#)

By Roland Stoy-Staff writer

COLDWATER — Autumn sent its annual unofficial greeting over the weekend, with overnight temperatures dipping into the lower 50s and upper 40s.

That is to be expected, but this year, agencies are already out of money to help the poor and working poor with utility bills.

"We are out," said local Community Action Agency (CAA) coordinator Teresa Yohe. "We spent the very last bit of money last week. We are usually not out at this time of the year."

Usually, she said there is Walk for Warmth campaign money left over, but with Department of Human Services funds drying up, the burden has drained off what was a take of only around \$10,000 in last February's Walk fundraiser, as opposed to the normal \$20,000.

"Last summer the DHS ran out of money and that took all the rest of our United Way funds," Yohe said. "This year we are hoping to raise more money for the United Way. If the United Way campaign goes great, we'll do better."

She said United Way was able to give them \$15,000 last year, as opposed to \$20,000 the year before.

"Charitable giving is going down all over," Yohe said. "Everything is up . . . When people pay \$3 a gallon for gas, that's a dollar you don't have to give."

Salvation Army Captain Bill Brubaker echoed the words of Yohe, noting they are out of money with the exception of some help from Consumer's Energy, which will match partial bill payments where people can come up with some of the money.

Yohe also said she had been trying to help people more with utility bills where they were in danger of evictions or foreclosures. Foreclosures have become a major economic factor here, as elsewhere.

"We will tell people that I would rather pay your utility bill, you pay the rent. We do have some rent assistance available. But by the time they get to eviction or foreclosure, it is usually too late," she said.

Is there relief in sight?

"We don't know for sure. The statewide CAA has applied to the MPSC (state Public Service Commission) for help," Yohe said, adding they are hoping for help from THAW (The Heating and Warmth fund), a private agency out of Detroit that annually provides assistance.

Brubaker said the problem with state funding has also affected them.

"It goes quick," he said of their resources. "It gets eaten up fast when the DHS runs out of money."

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# Crain's Detroit Business

## Kresge Foundation OKs nearly \$10M in grants

By Sherri Begin

2:39 pm, September 17, 2007

The **Kresge Foundation** last week approved nearly \$10 million in grants to 20 Michigan nonprofits for efforts to revitalize the area and work with area youth.

☐ Advertisement

The two largest local grants by the Troy-based foundation were made to youth programs:

- \$2.75 million to the **Early Childhood Investment Corp.** in Lansing to oversee the planning, development and implementation of early childhood systems in Wayne, Oakland and Macomb counties.
- \$1.5 million to **Detroit Youth Foundation** to fund programs at YouthVille Detroit, a neighborhood youth center.

Also among the grants were:

- \$750,000 to **New Detroit Inc.**
- \$750,000 to **Detroit Renaissance Foundation**
- \$600,000 to the **Greening of Detroit**.

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Published September 18, 2007

#### WHAT IT MEANS

- Oct. 1-Nov. 3: The Civil Service Commission wants to be able to lay off workers without a 30-day notice.
- No layoffs have been announced, and officials say none are imminent.
- The Civil Service Commission will meet Sept. 28 to vote on suspending the notice requirements.

#### BUDGET TALKS CONTINUE

• Senate Republicans passed a state budget extension that would extend the current spending plan for 30 days, hoping to avoid a partial government shutdown on Oct. 1. Democratic Gov. Jennifer Granholm told reporters earlier Monday that she would veto a continuation budget unless a tax increase or other revenue increase was attached. But the bill passed Monday evening didn't include one. House Speaker Andy Dillon, D-Redford Township, remained optimistic that some mix of spending cuts and tax increases could be passed by the House and sent to the Senate. Story, Page 4B

## Vote may cut notice of layoffs by state

If government shuts down, move could eliminate required 30-day alert

Chris Andrews  
Lansing State Journal

The Michigan Civil Service Commission is preparing to change rules to enable the state to lay off workers more quickly if the government runs out of money and shuts down many of its services.

Union contracts generally require a 30-day notice to the unions and a shorter notice for identifying specific employees.

But the commission has scheduled a meeting for Sept. 28 - just three days before the start of the fiscal year - to eliminate those requirements between Oct. 1 and Nov. 3.

Gov. Jennifer Granholm said Monday that she is determined to avoid a government shutdown.

But she said the state has to be prepared for one.

"It allows the most flexibility in handling a situation," said Granholm spokeswoman Liz Boyd.

Granholm and legislative leaders continue to negotiate on taxes, budget cuts and government reforms to deal with a \$1.75 billion budget shortfall.

Granholm on Monday said she would veto a continuation budget - extending spending at this year's levels for a few months - unless there is an agreement on revenue.

So far, Republicans have refused to support raising the income tax or other measures to bring in more money.

State Rep. Dick Ball, R-Bennington Township, said he believes some Republicans are willing to support a tax increase, but only if there is an agreement on reforms and only if some of the Democrats in marginal districts step up and vote yes as well. Ten Democrats haven't been putting up votes one way or the other.

Alan Kilar, spokesman for UAW Local 6000, acknowledged that the Michigan Constitution gives the Civil Service Commission the authority to change the layoff rules.

"They would basically violate the contract, but it allows them to do it," he said.

Contact Chris Andrews at 377-1054 or [candrews@lsj.com](mailto:candrews@lsj.com).

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## KALAMAZOO GAZETTE

### **GOP senator urges reform before taxes Medicaid, teachers' insurance should be changed, George says**

Tuesday, September 18, 2007

**cricks@kalamazoogazette.com 388-8557**

Sen. Tom George said Monday he would consider a tax increase if reforms for teachers' health insurance and Medicaid are part of the deal.

George, R-Texas Township, said Republicans and Democrats must find common ground to close a \$1.7 billion gap in Michigan's Fiscal Year 2008 budget.

"At a certain point you have got to solve the problem," he said.

The Legislature has until Oct. 1 to balance the state's budget, but the effort has stalled as Democrats and Republicans have offered competing proposals. Lawmakers now are debating a continuation budget to keep government services operating while a long-term solution is found.

Democrats tend to favor tax increases along with some spending cuts while Republicans want deeper cuts in state spending before a tax increase.

"I'm willing to consider a tax increase, but I'm looking for reform," George said.

The senator said during a meeting with Kalamazoo Gazette editors and reporters that he wasn't ready to discuss which type of tax increase he might be willing to support -- a higher income tax or a higher sales tax.

Part of the solution, he said, is that public school districts should be given the ability to bid out health insurance for educators, and that detailed claims data for the districts should be made available.

George said he backed legislation in the state Senate that would make competitive bidding with claims data possible for public employers but that it has faced opposition in the state House, which altered the proposal.

"I feel that claims data is very, very important," George said. "Not only does it give the school district the ability to bid competitively for the same benefits, but it's also a tool to make people more healthy."

The Michigan Education Social Services Association, a third-party health-benefits administrator that covers nearly half of the state's public school employees, opposes George's proposal.

So does the Michigan Education Association, the state's largest teachers' union.

MESSA pools employees from small school districts into large groups for health plans. It releases claims data by seven pools in the state but won't release it by school district.

Gary Fralick, spokesman for MESSA, said releasing the data George wants would allow insurance companies to "cherry pick" groups with healthier employees.

School districts with healthier employees might get cheaper premiums initially, but as their employees' medical history changes their rates would also increase, Fralick said.

Other school districts with employees that require more medical care would be left in a pool with similar participants and be forced to pay higher premiums, Fralick said.

“The provision that George supports would bleed pools dry of healthy people,” Fralick said.

Also, George called Monday for reforms in Medicaid so that recipients are encouraged to smoke less, exercise more and attend regular health screenings.

Reforming Medicaid, which has grown 40 percent in the past five years as a piece of the state's general fund, won't balance this year's budget, but a structural change could help in the long run, George said.

Sharon Parks, vice president for policy for the Michigan League for Human Services, said the Legislature shouldn't single out Medicaid recipients to promote healthy habits.

She suggested the state Senate also look at providing incentives for state lawmakers to engage in healthy behaviors to bring down the costs of their own state-financed health coverage.

“Let's not scapegoat people,” Parks said.

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